

Southern District of Ohio

United States of America  
Plaintiff

- vs -

JOVANNI F. MANGOTTI  
{AKA JOHN F. DUNCAN}  
Defendant Pro-se

CASE NO: 1:02-cr-00100-(1)

Judge Hon. W. Rice [C.J.]

Defendants Petition To  
Withdraw Former Motion  
For Conference, and Sub-  
poena Duces Tecum. {EX-PARTE}

Defendant, by and thru pro-se Respectfully moves this Court For a Withdrawal of Former Motion For conference, and Request for subpoena Duces Tecum; To be withdrawn; for Reason listed in the brief attached hereto, said motions were entered in on Docket as Docket Number(s) 113, and 114, <sup>both</sup> entered in on September 19, 2005.

Respectfully,

JOVANNI F. MANGOTTI  
Jovanni F. Mangotti  
Defendant Pro-se

### Brief In Support

Defendant had been grossously misinformed at quite a few details Regarding the co-defendant Michelle L. Mangotti, which resulted in the Filing of Both motions listed above, [Docket #113 and #114].

Defendant contends that family members of the co-defendant had been making several unwarranted assertions about the co-defendant to the Defendant in hopes of alienating the defendant and co-defendant.

Mr. Mangotti asserts that information contained in the above listed motion are not established by fact, and expresses his deepest apologies. To the Courts for filing those claims, defendant had no even been sure that the motions were ever mailed to the courts by the person whom he instructed to handle them until he recently received a copy of his Docket entry;

Mr. Mangotti further asserts that he had no reckless intention

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in wasting the Courts time and the Co-defendants time, Mr. Mangotti had in fact been convinced on several issues stipulated therein, by persons close to Mr. Mangotti, who also at the time had indicated a character assassination of the defendant for any attempt he made to assert such claims, whereas the defendant had requested Taped telephone conversations etc. in hopes to help the Co-defendant in help she may have needed, and to prevent the Courts from frowning upon Mr. Mangotti's claim. In light of the stipulations made and asserted the co-defendant had found out about all the allegations her family has made, and had then confronted the defendant as to the falsehood of said allegations as the idealistic alienating scheme by sexual of her family members and friends; where now both the defendant and Co-defendant has for the past several months dissected most of the "plots" or "schemes" by those members and/or friends, communication with them, and further correspondence with them have come to and end by both the defendant, and Co-defendant, who themselves have maintained close communication in hopes of the betterment of their future relationship; again the defendant expresses his sincerest apologies upon the Court, and prays the Court to withdraw said Motion listed herein, or in the event, necessary to confer with the Courts the Defendant assents that he is willing to personally address the Courts if the need arises, and to set forth the facts, stipulations, and reasoning thereof.

Respectfully

JOVANNI F. MANGOTTI  
 Giovanni F. Mangotti  
 Defendant Pro se.